

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

ALLISON HETRICK, individually and on
behalf of all others similarly situated,

Plaintiff,

v.

ASCEND LEARNING, LLC,

Defendant.

Civil Action No. 1:25-cv-10103-NMG

ORAL ARGUMENT REQUESTED

DEFENDANTS' MOTION TO DISMISS PLAINTIFFS' FIRST AMENDED COMPLAINT

Pursuant to Federal Rules of Civil Procedure 8 and 12(b)(6), Defendant Ascend Learning, LLC moves to dismiss Plaintiff Allison Hetrick's First Amended Complaint in its entirety, with prejudice. As grounds for this Motion, the Complaint should be dismissed for the reasons stated in the Memorandum of Law in Support of Defendant's Motion to Dismiss.

WHEREFORE, the Defendants respectfully request that this Court issue an Order dismissing the First Amended Complaint in its entirety, with prejudice, and granting such other and further relief as the Court deems just and proper.

REQUEST FOR ORAL ARGUMENT

Pursuant to Local Rule 7.1(d), Defendant requests oral argument on its Motion to Dismiss.

Dated: May 12, 2025

/s/ Jennifer L. Chunias

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Ascend Learning, LLC

CERTIFICATE OF COMPLIANCE WITH LOCAL RULE 7.1(A)(2)

I, Jennifer L. Chunias, counsel for the Defendant in the above-captioned action, hereby certify that counsel for the Defendant conferred with counsel for the Plaintiff before filing this motion, but counsel for the parties were unable to reach agreement on this motion.

/s/ Jennifer L. Chunias

Jennifer L. Chunias

CERTIFICATE OF SERVICE

I, Jennifer L. Chunias, hereby certify that a copy of the foregoing document, filed through the CM/ECF system, will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) on May 12, 2025.

/s/ Jennifer L. Chunias

Jennifer L. Chunias